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MAR 17 2017

Environmental Response & Remediation

When recorded return to:  
Utah Department of Environmental Quality  
Division of Environmental Response and Remediation  
Attention: Voluntary Program Coordinator  
195 North 1950 West  
Salt Lake City, Utah 84116

12488698  
03/06/2017 11:36 AM \$0.00  
Book - 10535 Pg - 2600-2608  
GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
UT ST-ENVIRONMENTAL QUALITY  
PO BOX 144840  
SLC, UT 84114  
BY: MSA, DEPUTY - MA 9 P.

RE: **Sunset Ridge Middle School Voluntary Cleanup Site (VCP # C051)** **SCANNED**  
**6881 West 8200 South, West Jordan, Utah**

DERR 2017-002242

## FIRST AMENDED CERTIFICATE OF COMPLETION

The Certificate of Completion (COC) is amended to reflect a modification of the Specified Land Use, Section 3.0 below. The Property Tax Identification Numbers in Attachment A have also been updated to be consistent with current Salt Lake County Recorder's records. The First Amended Certificate of Completion replaces in its entirety the Certificate of Completion issued on October 15, 2008 and recorded on January 28, 2009 as Document #10607911 in Book 9678, Pages 7777-7784 with the Salt Lake County Recorder. The First Amended COC is effective on the date of recording.

### 1. Compliance with Terms of Voluntary Cleanup Program

The Executive Director of the Utah Department of Environmental Quality, through his undersigned designee below, has determined that the Board of Education of Jordan School District hereinafter referred to as "Applicant," has completed a Utah Department of Environmental Quality ("UDEQ") supervised voluntary cleanup of the real property described in Attachment A (the "Property"), in accordance with sections 19-8-108 and 19-8-110 of the Utah Code Annotated and the Voluntary Cleanup Agreement entered into on September 18, 2006. The Applicant is granted this Certificate of Completion ("COC") pursuant to section 19-8-111 and subject to the conditions set forth in section three below. Figures depicting the Property are located in Attachment B.

### 2. Acknowledgment of Protection From Liability

This COC acknowledges protection from liability provided by section 19-8-113 of the Utah Code Annotated to an applicant who is not responsible for the contamination under the provisions listed in subsection 19-8-113(1)(b) at the time the applicant applies to enter into a Voluntary Cleanup Agreement, and to future owners who acquire the Property covered by this COC, and to lenders who make loans secured by the Property covered by the COC.

As set forth in section 19-8-113, this release of liability is not available to an owner or lender who was originally responsible for a release or contamination, or to an owner or lender who changes the land use from the use specified in the COC if the changed use or uses may reasonably be expected to result in increased risks to human health or the environment, or to an

owner or lender who causes further releases on the Property. Also, there is no release from liability if the COC is obtained by fraud, misrepresentation, or the knowing failure to disclose material information. Finally, protection from liability is limited to contamination identified in the documents related to the investigation and cleanup of the Property.

### **3. Specified Land Use for Certificate of Completion**

#### Middle School Property (as defined in Attachment A):

This COC is issued based on the Applicant's representation that the Middle School Property will be used for public schools.

#### Future High School Property Parcels 1 and 2 (as defined in Attachment A):

This COC is issued based on the Applicant's representation that the parcels will be used for residential uses.

Residential land use is defined in the Risk Assessment Guidance for Superfund, Volume I Human Health Evaluation, Parts A and B as exposure to adults to incidental ingestion and dermal contact to hazardous constituents for a duration of 30 years at a frequency of 350 days a year.

The Future High School Property Parcels 1 and 2 may also be used for schools and commercial uses.

#### Requirements for the Entire Property:

This COC is issued based on the Applicant's representation that groundwater will not be accessed via wells, pits or sumps or used for drinking water, bathing and/or irrigation purposes.

In addition, this COC is issued based upon compliance with the Site Management Plan (SMP), dated July 16, 2008 or as may be amended from time to time. Among other things, the COC and SMP require:

- a. The Property shall be used in a manner that is consistent with the land use described in section three above;
- b. Groundwater located beneath the Property will not be accessed or used as described in section three above;
- c. Segments of the Bingham Magna Ditch (BMD) remaining under the Middle School Property (Sunset Ridge Middle School) parking lot and the sidewalks/utility corridors on the north and south ends of the BMD on the Future High School Parcels 1 and 2 shall be managed in accordance with the SMP;
- d. Maintain in good condition the parking lot at the Sunset Ridge Middle School and sidewalks at the Future High School Property Parcels 1 and 2 which overlay BMD soils as outlined in the SMP;

- e. Compliance with contingency procedures in the SMP if the segments of the BMD remaining under the parking lot or sidewalks are accessed or removed;
- f. Submittal of inspection reports to UDEQ as described in the SMP;
- g. Continued reimbursement to UDEQ for its oversight of activities under the SMP; and
- h. Continued consent to access by UDEQ to monitor compliance with the SMP.

#### **4. Unavailability of Release of Liability**

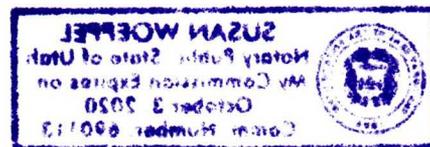
Use of the Property that is not consistent with section three, including failure to comply with the SMP described in section three, shall constitute a change in land use expected to result in increased risks to human health/the environment making the release of liability in section two unavailable.

#### **5. Amended Certificate of Completion**

Upon completion of the SMP, the Applicant, current or future owners or lenders may request the Utah Department of Environmental Quality to record an amended COC to delete compliance with the SMP as a condition of land use.

#### **6. Availability of Records**

All documents discussed in this COC are on file and may be reviewed at the UDEQ/ Division of Environmental Response and Remediation office located at 195 North 1950 West, Salt Lake City, Utah.



**7. Final Signature Sunset Ridge Middle School First Amended Certificate of Completion**

Dated this 2<sup>nd</sup> day of March 2017.

Brent H. Everett

Brent H. Everett, Director  
Division of Environmental Response and Remediation  
And Authorized Representative of the  
Executive Director of the Utah  
Department of Environmental Quality

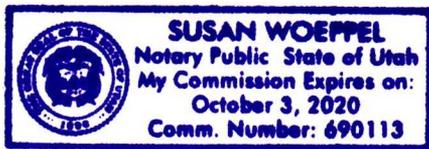
STATE OF UTAH \_\_\_\_\_)

:SS.

COUNTY OF Salt Lake \_\_\_\_\_)

On this 2<sup>nd</sup> day of March, 2017, personally appeared before me, Brent H. Everett

who duly acknowledged that he signed the above First Amended Certification of Completion as an authorized representative of the Executive Director of the Utah Department of Environmental Quality.



Susan Woepfel

NOTARY PUBLIC

Residing At: 186 Springfield Rd  
Salt Lake City, UT 84116

My Commission Expires October 3, 2020

**Sunset Ridge Middle School  
6881 West 8200 South  
West Jordan, Utah**

**Legal Property Description:**

The Sunset Ridge Middle School site consists of the following-described real property situated in Salt Lake County, State of Utah:

Middle School Property:

Beginning at a point which lies North  $89^{\circ}52'00''$  West 174.40 feet along the South line of the Southwest Quarter of Section 34, Township 2 South, Range 2 West, Salt Lake Base and Meridian, and North  $00^{\circ}08'00''$  East 1527.49 feet from the South Quarter of said Section 34; and traversing thence North  $89^{\circ}59'26''$  West 1029.78 feet to a point which lies on the Easterly right of way line of SR-111; thence North  $08^{\circ}02'35''$  East 1016.86 feet along said Easterly right of way line to the Southerly right of way line of 8200 South; thence South  $89^{\circ}59'26''$  East 873.78 feet along said South line; thence South  $00^{\circ}46'52''$  East 1006.98 feet to the point of beginning.

Future High School Property Parcel 1:

Beginning at a point which lies South  $00^{\circ}35'55''$  East 1178.70 feet along the East section line and West 1935.15 feet from the Northeast corner of Section 34, Township 2 South, Range 2 West, Salt Lake Base and Meridian; and running thence South  $00^{\circ}35'55''$  East 1340.86 feet to the beginning of a 25.00 foot radius curve to the right; thence Southwesterly 39.54 feet along the arc of said curve through a central angle of  $90^{\circ}36'29''$ ; thence North  $89^{\circ}59'26''$  West 696.51 feet; thence North  $00^{\circ}46'52''$  West 930.68 feet; thence North  $89^{\circ}59'26''$  West 866.28 feet to a point on the East right of way line of State Highway 111; thence North  $08^{\circ}02'35''$  East 439.77 feet along said right of way; thence South  $80^{\circ}59'26''$  East 1524.94 feet to the point of beginning.

Future High School Property Parcel 2:

Beginning at the Southeast corner of the Northwest quarter of Section 34, Township 2 South, Range 2 West, Salt Lake Base and Meridian; and running thence West 944 feet to the East right of way line of the State Highway; thence North  $07^{\circ}33'30''$  East along the East line of highway a distance 1001.2 feet, thence East 812.3 feet more or less to quarter section line, thence South 994 feet to the place of BEGINNING.

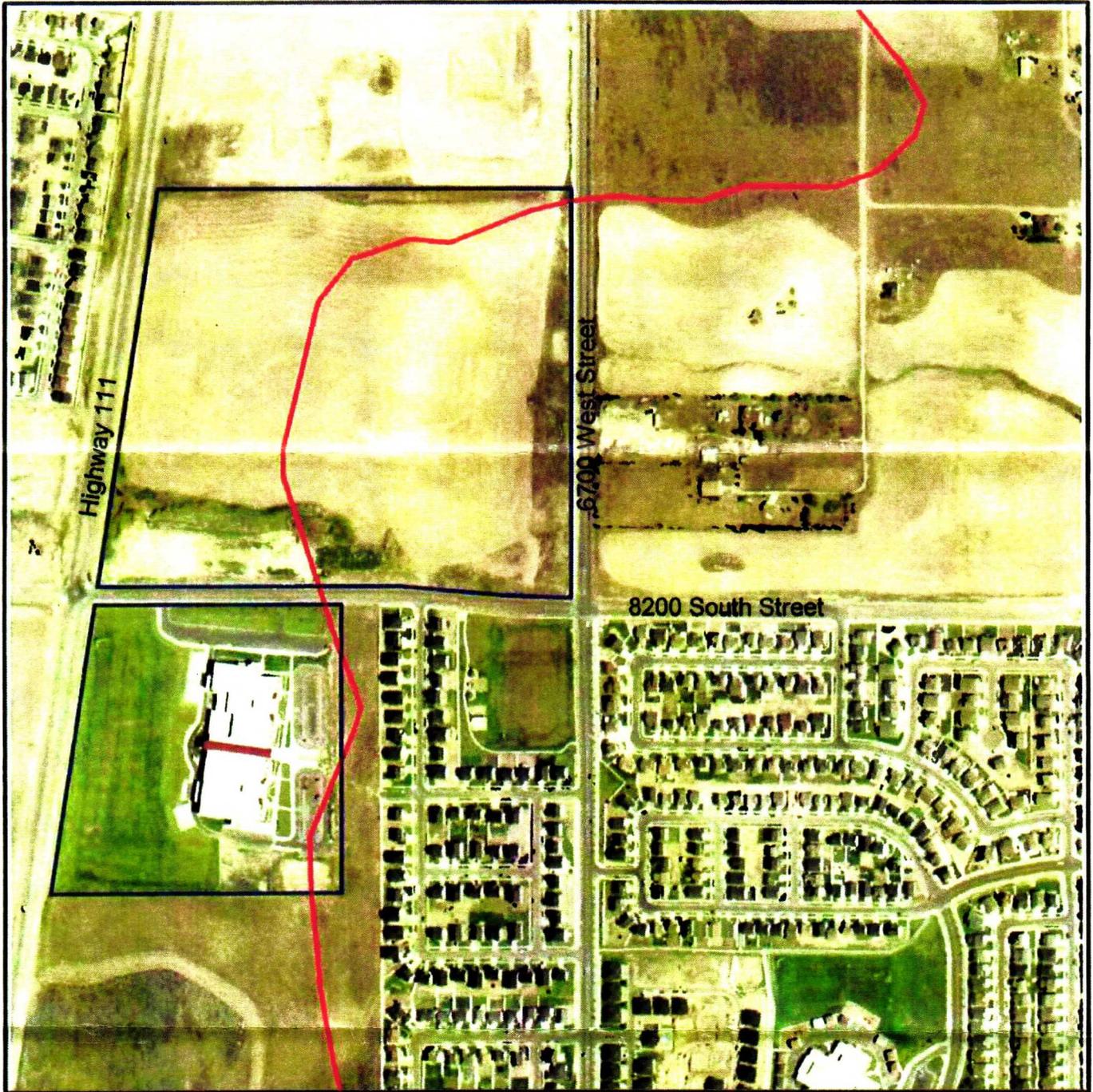
**Property Tax Identification Numbers: 20-34-326-002-0000, 20-34-326-013-0000,  
and 20-34-100-020-0000**

# **ATTACHMENT A**

## **Sunset Ridge Middle School Legal Property Description**

# **ATTACHMENT B**

## **Sunset Ridge Middle School Site Map**



August 2006

**SUNSET RIDGE MIDDLE SCHOOL AND HIGH SCHOOL PROPERTIES  
APPROXIMATELY 8200 SOUTH HIGHWAY 111  
WEST JORDAN, UTAH**



Approximate Scale  
1 inch = 500 feet

1070119



2006 Aerial Photograph with Bingham-Magna Ditch

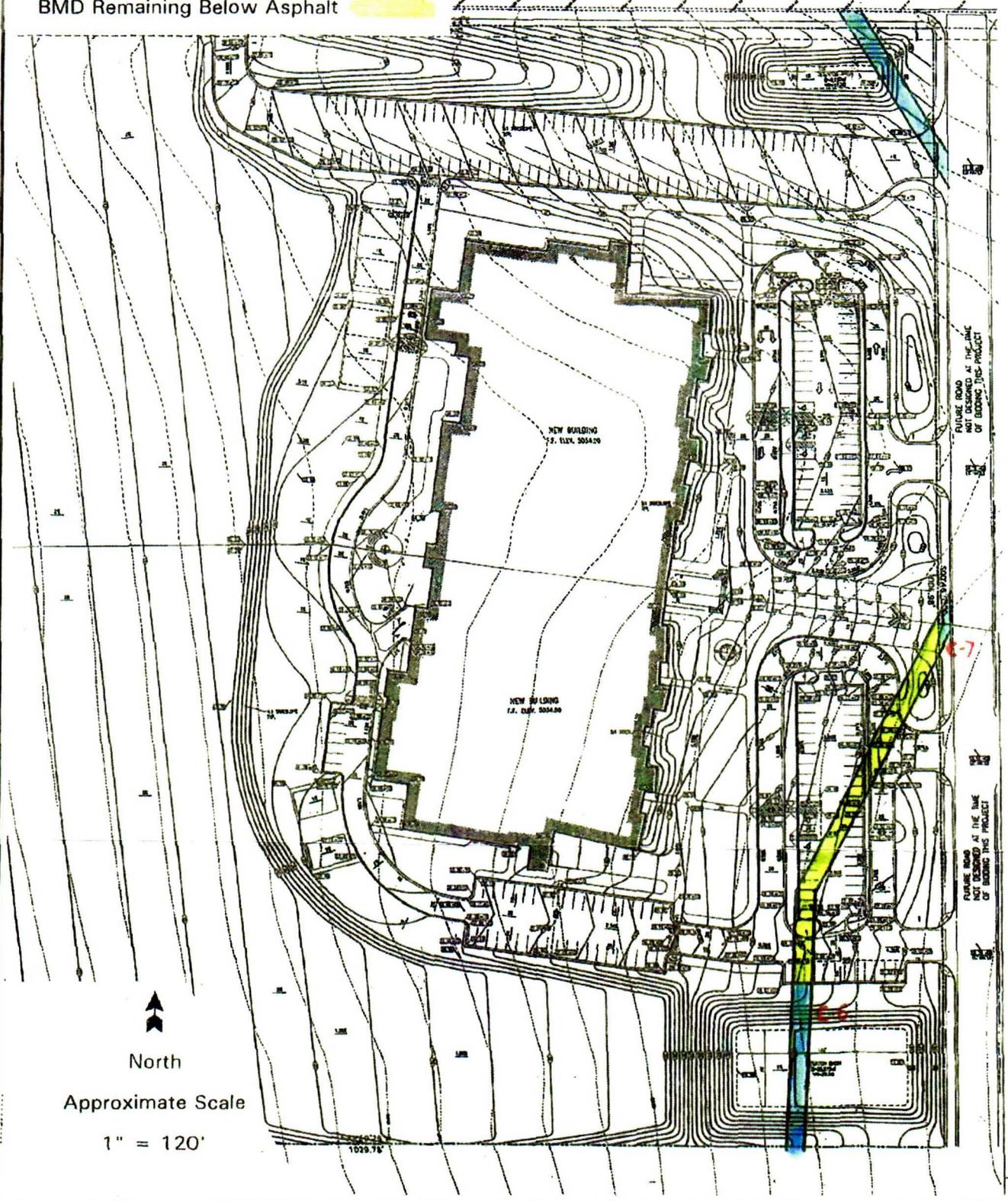
Figure 2

NOTE: EXCESS EXCAVATED SOIL TO BE STOCKPILED ON FUTURE HIGH SCHOOL SITE, ON NORTH SIDE OF 8200 SOUTH STREET, IN LOCATIONS, MATERIAL SEPARATIONS, AND DEPTHS AS DIRECTED BY THE OWNER.

BMD Removed

8200 SOUTH ST.

BMD Remaining Below Asphalt



PURPOSE ROAD AT THE TIME OF BIDDING THIS PROJECT

PURPOSE ROAD NOT DESIGNED AT THE TIME OF BIDDING THIS PROJECT

1070119



BMD Location on Middle School Property

Figure 4